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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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DON LANG,

Plaintiff,

*versus*

HOLLIS HORTON,

Defendant.

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CIVIL ACTION NO. 1:12-CV-273

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Don Lang, an inmate confined at the Connally Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this lawsuit against Hollis Horton.

The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this lawsuit be dismissed without prejudice pursuant to 28 U.S.C. § 1915(e).

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections in light of the pleadings and applicable law. After careful consideration, the court is of the opinion the objections are without merit. The defendant is entitled to absolute immunity with respect to the claims asserted against him.

## ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 4th day of September, 2012.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE